

Every Mother Knows Mrs. Jane Hopkins' Clothes

None on earth are better for school-boys. They're double seat and knee, and made with inseparable seams. The kind you need not make over every time your boy returns from school. You that have bought them we know will have no other. To-morrow we start them rolling.

Ten styles of All-Wool Cassimere Suits, ages 6 to 14, thoroughly well made. At the big stores you pay \$2—
Here To-Morrow, \$1.24.

Handsome Scotch Plaid Suits, with reefer collars, 3 to 12 years, 9 to 16 years, plain, in 12 patterns. At the big stores you pay \$3—
Here To-Morrow, \$1.75.

Don't Take Our Word for It. Come and See.

BLUE GOLF CAPS.....15c. BOYS' SCHOOL SHOES...98c.
The Above Are Specials for To-Morrow Only.

Boys' Long-Pants Suits, Ages 16 to 19.
Nobby Plaid Effects, in all-wool fabrics—To-Morrow.....\$4.50.
Black and Blue 18-Ounce Clay Worsteds—To-Morrow.....\$6.98.

Children's Knee Pants.
We place on sale eighty dozen Knee Pants—manufacturers' samples. Range of value 50c. to 75c.
Choice To-Morrow, 39c.

We Give Trading Stamps—Absolutely Free.

JACOBS & LEVY,

707 East Broad Street.

IN THE SOUTHWEST

THE DEMOCRATIC SENATORIAL
NOMINEE IN FIFTH DISTRICT.

A Popular Man—An Error Corrected.

On the Hunt for Him—Wytheville Personal and Social Notes—Briefs.

WYTHEVILLE, VA., September 18.—(Special.)—Captain Thomas L. Tate, who was nominated here Thursday by the Democrats of this (Fifth Senatorial) district, was born in the lower end of this county, some ten miles from Wytheville, and is about 10 years old. He is a farmer and lives in Draper's Valley in Pulaski county, but frequently travels this entire section as a drummer. Captain Tate was at the battle of New Market as a cadet, but later joined the regular army and was promoted to the position of captain. He is more than well known in the district, especially to all classes of business people; is personally very popular; has an exceedingly large family connection in this and Pulaski counties; is wide awake and a great "hustler," and will make a dangerous political opponent for any party or man. I predict his election, though the district went Republican last year by some 600 votes.

The Dispatch's Pulaski City correspondent, in a recent letter in speaking of Mr. Walter S. Poage's candidacy for the Republican nomination for the State Senate in this district, said that he (Mr. Poage) was formerly Commonwealth's Attorney of Wythe, under Democratic regime. In this your correspondent is mistaken. As a Democrat Mr. Poage was Commonwealth's Attorney of Wythe, under Republican regime. A few days ago a young boy named Riggle, at Crockett's Depot, fell from a heavily-loaded wagon and the wheels passed over his body, inflicting injuries from which, it is thought, the unfortunate will die.

This immediate section was visited by a most welcomed rain to-day. It is to be hoped that the fearful drought, from which this entire section has been suffering for several weeks, is now over. It is believed here that the recent robberies committed in this place were the work of William Bondurant, the noted thief from Bristol, who was confined in jail at Roanoke, but he made his escape several weeks since. He is a bad, desperate character. He has been confined in the jails at Roanoke, Marion, Abingdon, Bristol, and Wytheville upon different charges, and made his escape from all of them except the one at Wytheville.

The officers here are constantly on the watch for him. He is a very young man and his parents are highly-respected people of Bristol.

Hon. John W. Gwyn, the Democratic candidate for the Legislature in the counties of Smyth and Bland, was in town this week. Mr. Gwyn lives at Chatham Hill, in Smyth county. It is extremely doubtful if he has any opposition.

The James Ward properties, at Crockett's Depot, have been sold again and at \$100. They were bought in by a syndicate.

Dr. A. D. Leach and niece, Miss Pritchard, have returned to their home in Knoxville.

Mrs. Jane Pendleton and Miss Pendleton have gone on an extended visit to Brooklyn.

Baroness von Meyensberg and children, of New Orleans, after a visit of several years to Europe, have returned. They are now boarding at Mrs. Gordon Repass's, on West Main street. The Baroness accompanied his family to Wytheville and then went to New Orleans, where he is Consul, representing the Austrian Government. They are well known here, having spent several seasons in Wytheville.

Misses Ella and Flora Stuart have returned from a visit of several months to Europe, and are at their sister's, Mrs. Lizzie Graves, near town.

Mrs. W. A. R. Goodwin has returned to her home in Fredericksburg.

Mr. William Galvin, of Providence, R. I., is visiting relatives in this place.

Stabbed His Mother-in-Law.
DWALE, VA., September 18.—(Special.) David Adams, a farmer of Line Creek, just across the State line on the Kentucky side, seriously, if not fatally, stabbed his mother-in-law, Mrs. Jennie Adams, on Thursday. He also cut Miss Mary Adams, his sister-in-law, several times in the arm and leg. Your correspondent is not advised as to what the trouble came up over. Adams served a short-term sentence in the Kentucky

penitentiary for stabbing one J. A. Holbrook, in 1891.

County Court is in session at Clintwood this week. The case of the Commonwealth against David Fleming, charged with feloniously striking his cousin, Tandy Fleming, in the face with a rock, last spring, is being heard at this term.

It is unusually dry and hot here now. The creeks have nearly all dried up, so that it is difficult for stock to get water. All the grist-mills that were driven by water power have stopped, and most of our people find it rather difficult to get their supplies of meal.

OUT IN HIGHLAND

The Drought—Many Squirrels—Religious—Personal.
MONTEREY, VA., September 18.—(Special.)—The drought, which set in about the 1st of August, is still unbroken, and the valleys, usually so green and beautiful at this season, are dry and parched, presenting more the appearance of December than September.

The indications now are that the unusually large hay crop harvested this year will be in demand before spring time, as many farmers will have to begin feeding their stock in a few weeks. There is also a great scarcity of water in some localities, both for man and beast, and in some instances, has to be hauled for long distances.

The soil has become so dry that on yesterday, in the suburbs of McDowell, a fire broke out from a burning brush-heap and destroyed four large hay stacks, a portion of the fence around the village cemetery, and a large pile of lumber, soon to be put into new building. It was with much difficulty that the property was saved.

The scarcity of mast in the mountains has driven the squirrels to the cornfields, and so numerous are they that some fields have been almost entirely destroyed by their raids. The sportsmen of our town have during the fall had fine gunning, and hundreds of the squirrels have been brought in by them, without, however, showing any indication in the overabundant ranks of the frisky game. In one instance, a young hunter found nine in a hickory-tree, eight of which he killed. A few rods away he discovered four on another tree, bagging the quartette at two shots.

The second annual meeting of the Christian Workers' Convention, just closed here, was largely attended, there being present about sixty regularly elected delegates, apart from ministers and visitors. The next session will be held at McDowell, the date to be fixed by the Executive Committee, consisting of Messrs. John S. McNulty and S. W. Sterrett, Dr. H. H. and Hon. Charles P. Jones.

Rev. W. H. Woolf, assisted by Rev. A. Q. Flaherty, is now holding a revival service at the Methodist church, in this place.

Many of Highland's girls and boys, after several weeks' recreation from the student session of the Randolph-Macon Woman's College, at Lynchburg, Miss. Bessie Jones, of Doe Hill, left at the same time to enter a Roanoke seminary. Edwin B. Jones, of Monterey, and Triah and Jacob Hever, from the Crabbottom Valley, have gone to attend the Randolph-Macon College, at Ashland, and the Randolph-Macon Academy, at Front Royal, respectively.

Mr. Charles P. Jones, Jr., who has been spending a month with his parents, of this place, has returned to the Second Auditor's office, at Richmond, where he holds a clerical position.

Dr. Arlie C. Jones, a young physician, from eastern Highland, has returned to his post at the University, at Charlottesville.

J. Mc. Gwin has gone to attend the present term of the University of Virginia.

F. G. Mauzy and Clarence C. Jones have gotten back from a business stay at Buchanan and Beverly, W. Va.

Mr. D. M. Kyle, from East Lexington, is visiting relatives in Highland.

Stockmen, Porter & Christy are making large shipments of cattle and sheep from Highland. People are realizing about one fourth advance for stock, when compared with last year's prices.

Cyclists Visited Petersburg.
A large number of Richmond wheelmen, as well as a number of lady cyclists, left yesterday for Petersburg to attend the bicycle race meeting held there under the auspices of the Cockade City Cycle Club.

A Cooling Drink in Fever.
Use Horsford's Acid Phosphate.

Dr. C. H. B. Davis, Meriden, Conn., says: "I have used it as a pleasant and cooling drink in fever, and have been very much pleased."

DECIDE MANY CASES.

SUPREME COURT HANDS DOWN
LARGE BATCH OF OPINIONS.

BOOM LAND SALE FALLS THROUGH.

Representations Made by an Improvement Company Declared to Have Been Misleading, and the Buyer Is Released from Obligation.

The following opinions were delivered by the Supreme Court of Appeals at Staunton on Thursday:

Commonwealth vs. Ashlin's Administrator, Reversed. Opinion by Keith, P. Charles A. Scott, of Albemarle county, died in 1883, and left considerable real and personal estate. His widow, P. B. Scott, qualified as his administratrix, and in 1895 she, in her own right, as administratrix of her deceased husband, and as guardian of her infant children, filed a bill in the Circuit Court of Albemarle county for the administration of his estate, making all necessary parties defendant. Orders were entered convening the creditors, and such proceedings were had that after arduous litigation, which ultimately found its way to the Supreme Court of Appeals, and was decided at the January term, 1890, the rights of the widow, distributees, heirs, and creditors were established.

Into this case came the Commonwealth by Morton Mayne, Auditor of Public Accounts, and asked leave to file a petition stating the death of Scott, the real estate of which Scott died seized, and the assignment of dower to his widow; that the 1883 and 1890 taxes had been assessed upon this land, which were in arrears and unpaid, and that the land had been sold for taxes delinquent and in arrears, and purchased by the State, and all the formalities prescribed by statute having been strictly complied with, that the title to these tracts of land without the execution of a deed, vested in the Auditor for the benefit of the Commonwealth, in the absence of any action of the court. The Commonwealth asked to be made a party defendant, but this the court refused, but permitted her to file her petition as party plaintiff.

The creditors, saying that the petition, saying that no part of the taxes claimed by the State accrued in the lifetime of Charles A. Scott; that he was indebted to respondents at the time of his death in large sums of money established by judgments and decrees set forth in the record of these chancery suits; that the widow and heirs of Scott had resisted the right of the creditors to have his real estate subjected to the payment of his debts, and that pending this litigation thus occasioned, the widow and heirs had retained possession of the land, had failed to pay the taxes thereon, and having suffered them to become delinquent, should now be compelled to pay them; that the Commonwealth, for the said lands would fall far short of satisfying the debts, and that it would be inequitable and unjust to divert any part thereof to the payment of taxes. They aver that the law gave them a lien on the land, and being in possession of the land, they claimed the Commonwealth, in buying, acquired a title which is subordinate to the right of the creditors. This view of the law was sustained by the Circuit Court, and thereupon the Commonwealth appealed to this court.

THE COURT'S OPINION.

Held: The Code gives to the Commonwealth a lien for five years for land upon which taxes are assessed. During the life of that lien the land was sold for its payment, and the Commonwealth, for the said lands would fall far short of satisfying the debts, and that it would be inequitable and unjust to divert any part thereof to the payment of taxes. They aver that the law gave them a lien on the land, and being in possession of the land, they claimed the Commonwealth, in buying, acquired a title which is subordinate to the right of the creditors. This view of the law was sustained by the Circuit Court, and thereupon the Commonwealth appealed to this court.

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CONTRIBUTORY NEGLIGENCE.

Kimball & Fink, Receivers, vs. Friend's Administrator. Affirmed. Opinion by Buchanan, J. Dissenting, Cardwell, J. and Keith, P.

Friend was killed while crossing the Norfolk and Western railway, and there were the usual defenses to the action for damages.

Held: 1. Unless disclosed by plaintiff's evidence, or to be fairly inferred from all the circumstances of the case, the burden of showing that he was exercising ordinary care and caution in approaching the crossing is upon the defendant. Baltimore and Ohio railroad vs. Whittingham's Administrator, 39 Gratt., 86; Improvement Company vs. Andrew, 56 Virginia, 27; Norfolk and Western Railroad Company vs. Gilman, 88 Virginia, 239.

Whether he used due care is a matter of inference, from the facts found by a jury. Where a person is killed by a crossing, and the negligence of the company is established, in the absence of evidence to the contrary, the presumption, though perhaps slight, is that the person was negligent in approaching the crossing. Otherwise he would have to prove not only company's negligence, but also his own freedom from contributory negligence. This, while the rule in some jurisdictions, is not the rule in Virginia. This case is differentiated from the Lacey case—94 Virginia—by the facts.

2. The erection of gates, gongs, etc., at railroad crossings to warn travellers does not constitute negligence on the exercise of ordinary diligence and care, but if the gate be open or the gong fail to sound, he is not held to such caution, as he otherwise would be.

The question of negligence in such case is peculiarly one for the jury. Armstrong vs. Ficklen's executor, 32 Gratt., 670; Richmond and Danville Railroad Company vs. Medley, 75 Va., 499.

MASTER AND SERVANT.

Crescent Horsehoe Company vs. Eynon. Reversed. Opinion by Buchanan, J. At. Held: 1. Where there is a sufficient cause for the discharge of a servant, though not the inducing motive thereto, or even unknown to the master, the discharge is justified. An act in approaching or implied condition of service is not to justify the discharge, and the master

5c. Unbleached Cotton,

2' yard.

A WHIRLWIND OF TRADE!

DRESS GOODS—MATCHLESS OFFERINGS.

Never were we so busy as now. An immense stock at extremely low prices is the magnet that draws the crowds of eager buyers. Nowhere can you find such an immense lot of bargains. Nowhere can you equal our values.

In new and very stylish effects, the prettiest Dress Goods weaving you ever saw, at prices that will be impossible to match even here a little later, as the new tariff plans have with Dress-Goods Prices.

At 7c. we offer a Double-Fold Mix Goods that usually sells at 12-13c., to-morrow they will be 7c.

At 25c. we offer All-Wool Mix Suiting, in all new colors, also, 3-inch cloth, in all colors. You will soon have to pay 30c. for these goods, as we ask for these goods. Now only 25c. yard.

At 31c. we offer 4-1/2-inch Serge, in all the newest shades, figures, and broad mix goods. Other stores ask 50c. a yard; our price only 31c.

At 50c. we offer 6-1/2-inch English Cloth, 25 different shades to select from; All-Wool Novelty Tweed Checks, Irish Fringe Cloth, Imported Granite Cloth, and Navy Cheviot Serge, etc. Fifty per cent. advance is the price elsewhere; on these same grades our prices lower than ever; only, yard, 50c.

At 75c. we offer 4-1/2-inch All-Wool English Cloth Suiting, 4-1/2-inch Needle Twill Coat Cloth, all shades, and 4-1/2-inch Wool Illuminated Cheviots; \$1.19 would be cheap for these goods. While these lots last you can have them at, yard, 75c.

At 81c. we offer 6-1/2-inch Imported Henrietta, 5-1/2-inch Frivola Cloth. These are most fashionable goods of the season. It would be impossible to match at \$1.50 yard; our price is only 81c. a yard.

No tariff on these goods; the price has not advanced here, but we will not be able to match the prices that we are offering now later on.

At 12-1/2c.—30 pieces Figured Mohair, double fold and full width; the regular price 25c., in this sale 12-1/2c.

At 25c. we offer a 4-1/2-inch Broadcloth, 25 different shades to select from; the regular price 30c., in this sale 25c. a yard.

At 31c.—All-Wool Serge, 4 1/2 inches wide. The Imperial kind is what we will offer at 31c.

At 50c. we offer an All-Wool Granite Pooling, Irish Fringe Cloth, 5-1/2-inch French Cloth, Silk-Finished Henrietta, and 4-1/2-inch Imported Serge; \$1.19 would be cheap for these goods, but we offer them at 50c. a yard.

At 75c.—We offer a 4-1/2-inch Imported Henrietta and Heavy English Serge at 75c. yard.

They are coming by every train—Plaids, Roman Stripes, Ombre Stripes, Brocades, Plain Poplins, Peau de Soles, Satin Duchesse, etc., etc.

For 30c. you can buy very special offerings to-morrow. A 20-inch Corded Satin Brocade, in all colors, for street and evening wear, for waist lining and trimmings, only, yard, 30c.

For 40c.—A nice quality All-Silk Figured Louisienne, new pattern, new colors, or All-Silk Changeable Taffeta, the best quality, for, yard, 40c.

For 51c. we offer 27-inch Roman Stripes, New Plaids, Figures, and Brocade Taffetas. The regular price of these are \$1.25 and \$1.39, now, for yard, 51c.

BLACK SILKS.
For 50c.—27-inch Heavy Black China Silk, Heavy Cord Surah, and Black Taffeta, real value 80c., now, for yard, 50c.

For 80c.—27-inch Black Satin Duchesse, Black Corded Brocade Silk, Black Brocade Satin Duchesse, and Armures, over twenty different styles to select from. We guarantee these prices to be below competitors'. To make us popular we will sell them for 80c.

A MANUFACTURER'S SALE OF SAMPLE BLANKETS.
New, Fresh Blankets at free-wool prices. Money saved and money gained. We guarantee that you cannot match these prices. We will accept small payments. Your money refunded if you can match these two special bargains in Blankets:

BLANKET BARGAIN No. 1.
Large-Size All-Wool Berbergs, in White, Silver-Gray, and Red, size 62 by 75, weight 4 pounds, the regular price 90c.; our unmatched price, 38.48c. They are bound with silk tape.

BLANKET BARGAIN No. 2.
Extra-Long All-Wool Blankets, in White, Silver-Gray, and Red, bound in silk tape, size 70 by 90, weight 5 pounds, regular price \$3.75, but our unmatched price \$4.98.

Can you match them at these prices? If you can your money refunded. Here are the prices:

50c. kind.....39c.
50c. kind.....45c.
50c. kind.....50c.
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Notwithstanding the sharp advance in prices of Carpets during last week, we will continue to sell our present immense stock of Carpets at exceedingly low prices. We have quoted right along.

FREE!
All Carpets made, laid, and lined FREE THIS WEEK!

20 rolls Tapestry Brussels, in new colors and patterns, made, laid, and lined, 50c.

25 rolls of the Very Best Body Brussels, the colors and patterns are the prettiest you ever saw; made, laid, and lined, for 80c.

15 rolls Best Velvet Carpet, in the new Greens and other colors, worth double—made, laid, and lined, for 1.00.

20 rolls of Ingrain Carpet, in new Brussels pattern, made, laid, and lined, 50c.

20 rolls of Wool-Chain Ingrain Carpet, made, laid, and lined, 39c.

GENTLEMEN'S FURNISHINGS.
80c. Heavy Ribbed Shirts, 50c.
75c. Pure Linen-Bosom Shirts, reinforced front and back, 40c.
50c. Linen-Bosom Shirts, 42c.
75c. Night-Shirts, 50c.

TRUNKS.
They will be sold less than the manufacturers' prices.

KID GLOVES.
All the new fall shades. In the new Greens, Blues, Tans, and Purples.

ART WORK.
New line of Giltware Work. Screened, Centrepieces, the 25c. kind, in new designs, 15c.

SHEETS.
Androscoggin Sheets, full size, 90x90, reduced price, 48c.

Booster Slips, 25c.

RESULTING TRUST.
Cox vs. Cox. Affirmed. Opinion by Harrison, J.

Suit by A to recover from B, a resident of Memphis, temporarily in Wythe county, one half proceeds of sale of land alleged to have been held in trust by B for benefit of himself and A; and to secure B from too late to raise the question, even if there had been valid objection to the jurisdiction.

There is no difficulty in reaching the conclusion that appellant B held this land in trust for the benefit of himself and A; and lastly, for the benefit of appellee A, and himself in equal portions.

"Whenever an estate is purchased in name of one person and the consideration is paid by another, a trust is created by operation of law in favor of the party paying the purchase money."

SECTION 218 OF THE CODE.

Newberry Land Company vs. Newberry. Affirmed. Opinion by Rely, J.

Adoption of an agreement in writing, to which the plaintiff was not a party; a contract inter partes, and a sealed instrument as to the defendant. Demurrer to the declaration sustained.

At common law a person could sue upon a deed poll, though not a party to it, if it showed on its face that it was made for his benefit. But this was not so of a deed in part, which was available only to the parties thereto and their privies. Jones vs. Thomas, 21 Gratt., 56; Stuart vs. James R. and Kan., 60; 2d Id., 24; Ross vs. Milne and wife, 12 Leigh, 294.

245. of the present Code, does not abrogate this principle. Even if one of the objects of the statute was to abolish the distinction between these deeds, and to bring both within the same legal rule, it is not intended to change that part of the law that only a person named or definitely pointed out in a deed as the beneficiary can sue thereon, and that the deed must be plainly designated by it as the beneficiary, and the covenant or promise be for his sole benefit.

EQUITY JURISDICTION.
Solenberger, &c., vs. Herr, &c. Affirmed. Opinion by Rely, J.

Herr got a decree against S. and wife, to subject to an equitable separate estate, to the payment of a note and bond, on which she was surety for her husband, and her lands were advertised by the sheriff for rent until the debts were paid. S. and her husband, who is the plaintiff, executed a written declaration of their intent to execute a deed to the plaintiff. They do not charge that Herr has disclaimed the alleged trust, but has simply ignored it; nor do they seek to enforce it. They do not desire, but are now desired, but an admission in writing of its existence is

THE IRON

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